

**House File 22 - Introduced**

HOUSE FILE 22

BY HEDDENS

**A BILL FOR**

1 An Act relating to the payment of fees and expenses of  
2 county medical examiners who perform autopsies or conduct  
3 investigations of decedents who are out-of-state residents.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.802, subsection 2, paragraph c, Code  
2 2017, is amended to read as follows:

3 c. (1) The fee and expenses of the county medical examiner  
4 who performs an autopsy or conducts an investigation of a any  
5 of the following persons shall be paid by the state:

6 (a) A person who dies after being brought into this state  
7 for emergency medical treatment by or at the direction of an  
8 out-of-state law enforcement officer or public authority ~~shall~~  
9 be paid by the state.

10 (b) A person to whom subparagraph division (a) does  
11 not apply, who dies after entering the state and who is an  
12 out-of-state resident.

13 (2) A claim for payment under this paragraph "c" shall  
14 be filed with the state appeal board ~~and, if.~~ If the claim  
15 filed meets the criterion of involvement of a person specified  
16 in subparagraph (1), subparagraph division (a) or (b), the  
17 claim shall be authorized by the board, ~~shall be and~~ paid  
18 out of moneys in the general fund of the state not otherwise  
19 appropriated.

20 (3) A claim for payment under this paragraph "c" shall not  
21 affect or delay payment of the state medical examiner or other  
22 personnel of the office of the state medical examiner or of the  
23 county medical examiner or other personnel of the office of the  
24 county medical examiner, as otherwise prescribed by rule.

25 (4) For the purposes of this paragraph "c":

26 (a) "County medical examiner" includes the state medical  
27 examiner, deputy state medical examiner, associate state  
28 medical examiner, or deputy county medical examiner when acting  
29 as the county medical examiner, or a county medical examiner  
30 investigator.

31 (b) "Out-of-state resident" means an individual who is not a  
32 resident of the state of Iowa and includes an individual who is  
33 not a citizen of the United States nor lawfully admitted into  
34 the United States for permanent residence by the United States  
35 immigration and naturalization service.

1     Sec. 2. ADOPTION OF RULES. The state medical examiner,  
2 subject to the approval of the director of public health  
3 pursuant to section 691.6, shall adopt administrative rules  
4 pursuant to chapter 17A to implement this Act.

5                                   EXPLANATION

6             The inclusion of this explanation does not constitute agreement with  
7             the explanation's substance by the members of the general assembly.

8     This bill provides that, in addition to payment by the  
9 state of fees and expenses of a county medical examiner who  
10 performs an autopsy or conducts an investigation of a person  
11 who died after being brought into the state for emergency  
12 medical treatment by or at the direction of an out-of-state  
13 law enforcement officer or public authority, the state is  
14 also required to pay such fees and expenses applicable to any  
15 other decedent who is an out-of-state resident and dies after  
16 entering the state.

17     The bill provides that a claim for payment by the state shall  
18 be filed with the state appeal board and if the claim meets the  
19 criterion specified the claim shall be authorized by the board  
20 and paid out of moneys of the general fund of the state not  
21 otherwise appropriated. A claim for payment shall not affect  
22 or delay payment of the state medical examiner or of the county  
23 medical examiner or other personnel of the office of the county  
24 medical examiner.

25     For the purposes of the bill, "county medical examiner"  
26 includes the state medical examiner, deputy state medical  
27 examiner, associate state medical examiner, or deputy county  
28 medical examiner when acting as the county medical examiner  
29 or a county medical examiner investigator. "Out-of-state  
30 resident" means an individual who is not a resident of the  
31 state of Iowa and includes an individual who is not a citizen  
32 of the United States nor lawfully admitted into the United  
33 States for permanent residence by the United States immigration  
34 and naturalization service.

35     The bill directs the state medical examiner, subject to the

1 approval of the director of public health, to adopt rules to  
2 implement the bill.